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From: Ashcroft, Tyler
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[ExecutiveSummaryforBENM.pdf](#)
[Bear Ears National Monument Fast Facts 042717.docx](#)
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[BENMFAQsMonumentDesignation BEC review copy 042817.docx](#)

Cindy,

Attached are some documents that you may want to review in advance of the Tribal listening sessions. Answers to most questions that you will get from the public are contained in these documents. Please let me know if you need any additional reading materials.

Cheers,

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Tyler Ashcroft
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Bears Ears National Monument

Frequently Asked Questions Monument Designation

How will a national monument designation protect the Bears Ears region?

The proclamation that designated certain public lands as the Bears Ears National Monument identifies historic landmarks, historic and prehistoric structures, paleontological resources, and other objects of historic or scientific interest contained within the monument's boundaries. The Bureau of Land Management (BLM) and the U.S. Forest Service (USFS) are required by law to properly care for and manage those objects. The BLM and USFS will inventory and monitor the objects and ensure that activities occurring on public lands in the national monument are consistent with the purposes and objectives outlined in the proclamation.

Who manages the national monument?

The BLM and the USFS jointly manage the monument. Only federal lands are subject to the terms of the proclamation. Goosenecks State Park and Natural Bridges National Monument are within the Bears Ears National Monument boundary; however, these areas will continue to be managed by Utah State Parks and the National Park Service, respectively. No reservation lands are included in Bears Ears National Monument.

What role will American Indian tribes play in management of the national monument?

To reflect tribal expertise and traditional and historical knowledge, the proclamation established a Bears Ears Commission. The commission is composed of one elected officer from the Hopi Nation, Navajo Nation, Ute Mountain Ute Tribe, Ute Indian Tribe of the Uintah Ouray, and Zuni Tribe. The proclamation requires the BLM and the USFS to "meaningfully engage the Commission...in the development of the management plan and to inform subsequent management of the monument." The BLM and the USFS are looking forward to working together with the newly established Bears Ears Commission to implement the proclamation.

In addition to working with the Bears Ears Commission, the BLM and the USFS will continue to engage in government-to-government consultation with the tribes that have cultural affiliation with the area.

Do American Indians support the national monument?

A group of five tribes (listed below) joined together and submitted a national monument proposal to former President Barack Obama. These tribes, all of which have cultural ties to the area, are part of the Bears Ears Inter-Tribal Coalition: the Hopi Tribe, Navajo Nation, Ute Mountain Ute Tribe, Ute Indian Tribe, and the Pueblo of Zuni. These tribes received recognition in the national monument proclamation to form the Bears Ears Commission. In addition, 30 American Indian

tribes with ancestral, historical, and contemporary ties to the Bears Ears region have expressed their support for the national monument.

How can I submit a nomination for the Monument Advisory Committee?

The proclamation requires the establishment of an advisory committee. The advisory committee will consist of local citizens and representatives with a variety of backgrounds, who will advise the BLM and the USFS on developing a monument management plan and on key issues. The BLM will publish a call for nominations in the Federal Register to recruit members for the new Monument Advisory Committee. Under federal law (Federal Advisory Committee Act, 5 U.S.C. App.) and to promote fairness, the BLM cannot accept nominations outside of this process. The BLM will issue a news release with the Federal Register Notice and include additional information on when and how to submit nominations.

Have the BLM and USFS started to develop a monument management plan?

Under the proclamation, the BLM and the USFS must jointly prepare a management plan for the monument. A starting date for the plan has not been determined. (b) (5) - DPP

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When the agencies begin to develop the plan, there will be many opportunities for public involvement. During land use planning, the agencies will also collaborate with state, local, and tribal governments. The management plan will be used to guide future management decisions and ensure protection of natural and cultural resources.

Will interim measures be taken to protect objects outlined in the proclamation while the planning process proceeds?

There are no specific interim measures planned. The BLM and the USFS, however, can take steps if needed to protect the objects identified in the proclamation. Even before the national monument was created, the BLM and the USFS were investing considerable funding, time, and effort into stabilizing and protecting cultural sites, improving visitor experiences, and creating partnerships to help expand capacity.

Was the national monument designation unexpected?

The idea of a national monument in this area is not a new one. Calls for protection of the Bears Ears area began more than 80 years ago. Tribes with ties to the area began working on a proposal to protect this area 6 years before its designation as a national monument. The boundary of the national monument is similar to what was considered in the Utah Public Lands Initiative (H.R. 5780), which was introduced by congressional representatives Rob Bishop and Jason Chaffetz after extensive consultations with stakeholders and with the Department of the Interior and the Department of Agriculture.

What are the similarities between the Bears Ears National Monument and the Utah Public Lands Initiative?

The monument proclamation is similar to the Utah Public Lands Initiative (PLI) in many ways. For example, the acreage of the designated national monument is similar in size to the PLI's Bears Ears and Indian Creek national conservation areas and proposed Mancos Mesa Wilderness. The sections below discuss some of the other similarities.

- *Management Plans*: The PLI and the proclamation both require the development of management plans with extensive public involvement, including consultation with state, local, and tribal governments.
- *Tribal Commission*: The PLI and the proclamation both establish tribal commissions to allow for the integration of tribal expertise and traditional knowledge into management activities.
- *Advisory Council*: The PLI and the proclamation both call for advisory committees or councils composed of a variety of interested local stakeholders to assist in developing and implementing management plans for national conservation areas and the monument, respectively.
- *Mineral Withdrawal*: Neither the PLI nor the proclamation affect valid existing oil, gas, and mining operations. Both the PLI and the proclamation prohibit new mineral leases, mining claims, prospecting or exploration activities, and oil, gas, and geothermal leases.
- *Livestock Grazing*: The PLI and the proclamation both allow livestock grazing to continue. The PLI includes additional management guidelines, such as prohibiting managers from reducing grazing below certain levels from the date of the enactment of the PLI bill. Under the proclamation, the BLM and the USFS continue to grant grazing permits and leases under existing laws and regulations.
- *Off-Highway Vehicle Use*: The PLI and the proclamation both require travel management plans, and restrict off-highway vehicles to designated routes. The proclamation requires roads and trails to be consistent with the care and management of the objects the monument protects; new roads or trails for motorized vehicle use must be for the purposes of public safety or protection of monument objects (that is, resources specifically outlined in the proclamation).
- *Hunting and Fishing*: Neither the PLI nor the proclamation affect the jurisdiction of the State of Utah with respect to fish and wildlife management, including hunting and fishing.

Have looting and vandalism increased since the national monument designation?

Looting and vandalism of cultural sites have long been problems in the area that is now the Bears Ears National Monument. Illegal activities that result in the desecration or destruction of archaeological resources show disrespect for American Indians and make it harder for archaeologists to understand the past. The national monument designation recognizes the cultural

significance of the area and protects valued sites and artifacts. The BLM and the USFS are committed to working with the public to ensure the protection of the irreplaceable cultural resources in the monument. Designation of the national monument has provided these agencies with an opportunity to strengthen and develop partnerships and distribute information on how to respect and protect cultural resources. For more information on the “Respect and Protect” campaign to eliminate looting and vandalism in Utah, please see:
<https://www.treadlightly.org/programs/respect-and-protect/>.

Bears Ears National Monument

Frequently Asked Questions

Land Uses

On December 28, 2016, President Barack Obama issued a proclamation designating approximately 1.35 million acres of public lands in Utah as the Bears Ears National Monument. The proclamation provides for the care and management of prehistoric, historic, and scientific resources within the monument. The two agencies responsible for land management at the monument are the Bureau of Land Management (BLM) and the U.S. Forest Service (USFS). The proclamation formally recognizes the area's cultural importance to American Indian tribes and provides for federal land managers to consider integrating tribal knowledge and expertise into management plans. Finally, the proclamation addresses the designation's effect on existing and future land use rights.

Will American Indian tribes have access for ceremonial and other traditional uses?

Yes. Tribes will continue to be able to collect plants, firewood, and other traditional materials for noncommercial uses within the national monument. American Indians who are collecting products on BLM-administered lands for ceremonial or other traditional uses can obtain a free use permit from the BLM Monticello Field Office, 365 North Main Street, Monticello, UT 84535 (435) 587-1500.

Is livestock grazing still allowed?

Yes. Livestock grazing will continue to be managed under existing laws, regulations, and policies followed by the BLM and the USFS.

Does the national monument designation affect water rights?

Valid existing water rights are unaffected by the national monument designation.

Can I stake a new mining claim or nominate an area for oil and gas leasing?

Under the monument proclamation, federal lands in the national monument are withdrawn from all forms of mineral entry including mineral leasing. The BLM and the USFS will, however, recognize valid existing rights. Before designation, many areas within the national monument were already closed to leasing or withdrawn from mineral entry. There are no active mining operations or producing oil and gas wells in the national monument. Approximately 2 percent of the national monument is currently leased for oil and gas development.

Does the national monument designation affect fire management?

The national monument designation will not change fire management activities. All future

management will continue to focus first on public and firefighter safety while taking actions to protect valuable resources. Fuel reduction projects may be used in the national monument to address the risk of wildfire, insect infestation, or disease that would imperil public safety or endanger the objects or resources protected by the national monument designation. Fire management restrictions in Wilderness and Wilderness Study Areas will continue.

Does the national monument designation impact rights-of-way?

Nothing in the monument proclamation interferes with continued operation or maintenance of rights-of-way, such as existing powerlines and pipelines. If a new right-of-way is proposed on BLM-managed lands, the agency will evaluate whether the proposal is consistent with the proclamation, the existing land use plan, and BLM policies. As part of the management planning process, the BLM will evaluate where placement of new rights-of-way is appropriate.

How does designation of the national monument affect existing special management areas?

Approximately 57 percent of the federal lands that are now in the national monument were previously managed to protect important resources prior to monument designation. In general, these areas will continue to be managed the same as they were before designation. When the BLM and the USFS prepare a monument management plan, they will evaluate whether changes in management are needed in some of these areas. Any changes to the special management areas will include public involvement. Some of the special management areas are described below.

Wilderness and Wilderness Study Areas

Approximately 32 percent of the Bears Ears National Monument is managed as Wilderness or Wilderness Study Areas (WSAs). The USFS administers the 46,000-acre Dark Canyon Wilderness, which is just north of the Bears Ears formation. In addition, the BLM manages more than 380,000 acres of the national monument as WSAs. WSAs are roadless areas with wilderness characteristics. The BLM is required to manage these areas to preserve their suitability for designation as wilderness until Congress makes a final determination on whether these areas should be included in the National Wilderness Preservation System. There will be no changes in management of these areas.

Areas of Critical Environmental Concern and Research Natural Areas

Approximately 29,000 acres of BLM-administered lands in the monument are managed as Areas of Critical Environmental Concern (ACECs). ACECs are managed for the protection of their outstanding cultural, natural, and scenic values. The national monument also includes the Cliff Dwellers Pasture Research Natural Area, which is located on USFS lands.

Special Recreation Management Areas

Approximately 42 percent of the lands within the national monument are managed by the BLM as Special Recreation Management Areas (SRMAs). SRMAs are areas that are managed to

protect special recreational opportunities.

Can I ride my ATV or motorcycle?

Bears Ears National Monument provides outstanding opportunities for motorized recreation. All roads and trails that were open before the monument designation (approximately 1,800 miles) continue to be open to motorized vehicle use. As part of the management planning process, the travel management plan for the area will be updated. This could result in some changes in motorized vehicle use. Any changes to the travel management plan will include public involvement. Maps showing routes that are open to motorized vehicle use are available at:

<https://www.blm.gov/programs/national-conservation-lands/utah/bears-ears-national-monument>
https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd513812.pdf

Can I ride my mountain bike?

Mountain biking is allowed on all designated motorized vehicle routes in the Bears Ears National Monument.

Do I need camping permits or climbing permits?

Under current management, no permits are required for car camping on BLM-administered lands, unless there are more than 15 vehicles or more than 50 people. Backcountry camping permits are required for many of the Cedar Mesa canyons. No permits are required for rock climbing. All commercial guiding and activities, however, require a permit.

Can I still hunt in the national monument?

Hunting will continue to be managed by the State of Utah under the same regulations as before designation.

Can I gather firewood?

Yes. The national monument designation will not change how permits are issued for collection of firewood. The proclamation states that the BLM and the USFS must provide access to American Indian tribes for traditional and customary uses, including collection of medicines, berries, other vegetation, forest products, and firewood for personal, noncommercial use. With respect to private and commercial wood collection, the BLM will continue to issue permits based on the availability of woodland products and protection of other resource values. In some areas, commercial and private collection of firewood is not allowed. The existing Monticello Field Office Resource Management Plan identifies areas that are open for firewood collection.

For more information about firewood collection on BLM-managed lands, see:

<https://www.blm.gov/programs/national-conservation-lands/utah/bears-ears-national-monument>

For information about firewood collection on USFS-managed lands, see:
<https://www.fs.usda.gov/main/mantillasal/passes-permits/forestproducts>.

Can I still get a permit that allows me to outfit or guide others in the national monument?

Outfitting and guiding will continue to be managed under the same regulations as before designation. Contact the BLM Monticello Field Office about permitting questions at (435) 587-1510.

Bureau of Land Management Bear Ears National Monument Fast Facts

Land Status

- 1.35 million acres of Federal land (1,062,900 acres of BLM administered land and 289,000 acres National Forest System lands).
- No tribal lands
- 12,800 acres of private land and 112,700 acres of State land located within the exterior boundary but excluded from the national monument
- Natural Bridges National Monument (NPS) and Goosenecks State Park located within the exterior boundary but excluded from the national monument
- Contiguous with Canyonlands National Park, Glen Canyon National Recreation Area, and the Navajo Indian Reservation

Land Uses¹

- 1,800 miles of designated motorized vehicle route
- 664,539 acres limited to designated routes (63 percent)
- 389,169 acres closed to motorized vehicle use (37 percent)²
- All or portions of 20 BLM-administered grazing allotments (9 percent)
- 959,028 acres of BLM land available for livestock grazing (91 percent)
- 94,681 acres excluded from livestock grazing
- 68 land based and 11 river based active commercial special recreation permits
- Approximately 420,000 visitors in 2016³
- 25 authorized oil and gas leases (29,416 acres) (2 percent of BLM administered lands)
- No active producing oil and gas wells
- 250 plugged and abandoned oil and gas wells⁴
- 222,741 acres of with high oil and gas potential (16 percent)
- 744,888 acres with moderate oil and gas potential (53 percent)
- 449,981 acres with low oil and gas potential (32 percent)
- No active locatable mining operations
- 2 authorized community pits, 3 free use permits, and 1 mineral materials site
- 266 mining claims

Special Management Areas⁵

¹ All land use decisions were in place prior to monument designation.

² Closed areas general coincide with Wilderness Study areas and Areas of Critical Environmental Concern

³ Recreation visitation based on information in the BLM's Recreation Information Management System Database

⁴ Of the 250 wells drilled in the National Monument, nine wells have produced oil and/or gas resources. Three of the nine wells produced economical quantities.

⁵ 727,085 of the 1,062,900 acres of BLM-administered lands in the national monument (68 percent) are within specially designated areas. Land use restrictions vary within these areas.

- Grand Gulch Primitive Area (34,928 acres) (1971)
- Dark Canyon Primitive Area (49,904 acres) (1971)
- Grand Gulch Archeological District (4,240 acres) (1982)
- Butler Wash Archeological District (2,205 acres) (1981)
- Newspaper Rock (listed on the NRHP in 1971)
- Hole-in-the-Rock historic trail (listed on the NRHP in 1982)
- Comb Ridge National Natural Landmark (1976)
- 5 Areas of Critical Environmental Concern (28,885 acres) (3 percent of BLM-administered land)
- 10 Wilderness Study Areas (381,000 acres) (1980) (36 percent of BLM-administered land)
- 3 Natural Areas⁶ (48,800 acres) (4.5 percent of BLM-administered land)
- 7 Special Recreation Management Areas (562,000 acres) (53 percent of BLM-administered land)
- Dark Canyon Wilderness Area (46,000 acres) (1984)⁷

Archeological and Paleontological Resources

- 8,480 recorded archeological sites
- 9.2 percent of the area surveyed (136,538) acres
- 320 document paleontological sites

American Indian Support

- Proposed by the Bears Ears Inter-Tribal Coalition (Hopi Tribe, Zuni Pueblo, Navajo Nation, Ute Mountain Ute, and Ute Indian Tribe in October 2015.
- Supported by all 7 Tribes in Utah
- Supported by 6 of the 7 Navajo Chapter Houses in Utah
- Supported by 30 American Indian Tribes located in the Southwest with ancestral, historical, and contemporary ties to the Bears Ears region
- Supported by the National Congress of American Indians representing nearly 300 Tribes.

⁶ Natural areas are areas outside of wilderness study areas that are being managed for protection of wilderness characteristics.

⁷ Located entirely on National Forest System Lands.

Bears Ears National Monument

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Was the national monument designation unexpected?

The idea of a national monument in this area is not a new one. Calls for protection of the Bears Ears area began more than 80 years ago. Tribes with ties to the area began working on a proposal to protect this area 6 years before its designation as a national monument. The boundary of the national monument is similar to what was considered in the Utah Public Lands Initiative (H.R. 5780), which was introduced by congressional representatives Rob Bishop and Jason Chaffetz after extensive consultations with stakeholders and with the Department of the Interior and the Department of Agriculture.

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- *Hunting and Fishing*: Neither the PLI nor the proclamation affect the jurisdiction of the State of Utah with respect to fish and wildlife management, including hunting and fishing.

Have looting and vandalism increased since the national monument designation?

Looting and vandalism of cultural sites have long been problems in the area that is now the Bears Ears National Monument. Illegal activities that result in the desecration or destruction of archaeological resources show disrespect for American Indians and make it harder for archaeologists to understand the past. The national monument designation recognizes the cultural significance of the area and protects valued sites and artifacts. The BLM and the USFS are

committed to working with the public to ensure the protection of the irreplaceable cultural resources in the monument. Designation of the national monument has provided these agencies with an opportunity to strengthen and develop partnerships and distribute information on how to respect and protect cultural resources. For more information on the “Respect and Protect” campaign to eliminate looting and vandalism in Utah, please see:

<https://www.treadlightly.org/programs/respect-and-protect/>.

Executive Summary of Review of National Monuments under EO 13792 (April 26, 2017)

Key Information about Bears Ears National Monument

Bears Ears National Monument (BENM) consists of 1,351,849 acres in San Juan County, Utah, jointly managed by the Bureau of Land Management (BLM) and the U.S. Forest Service (USFS) (1.063 million acres managed by the BLM; 290,000 acres managed by the USFS). Located in southeast Utah's canyon country, BENM offers unparalleled recreation opportunities. The area is one of the most significant cultural landscapes in the United States, with thousands of archaeological sites and important areas of spiritual significance to American Indian tribes.

Summary of Public Engagement Prior to Designation

The idea of a national monument in this area is not a new one: calls for protection of the Bears Ears area began more than 80 years ago. Six years ago, several tribes began working on a specific proposal to protect this area under the Antiquities Act. Last year, at the invitation of the tribes, senior representatives from DOI and the USFS attended an Inter-Tribal Council meeting in the field at the Bears Ears buttes to engage in government-to-government dialogue. In July 2016, Secretary Jewell was joined at a public meeting in Bluff, Utah, by Department of Agriculture Under Secretary for Natural Resources and Environment Robert Bonnie, Principal Deputy Assistant Secretary for Indian Affairs Larry Roberts, BLM Director Neil Kornze, National Park Service Director Jon Jarvis, and staff from the offices of Governor Herbert, Congressman Chaffetz, Congressman Bishop, Senator Lee, and Senator Hatch. At the meeting, an overflow crowd of over 1,500 citizens attended. The majority of speakers encouraged permanent protection for this iconic landscape, as did the majority of almost 600 written comments. On that trip, senior officials also met with a number of local stakeholders to discuss protection of the area, including a meeting with the San Juan County Commission that was well-attended by local citizens. The Governor, members of Utah's congressional delegation, and the San Juan County Commission support protection for the area, but unanimously opposed monument designation.

The boundary of BENM is largely congruent with similar designations in the Utah Public Lands Initiative (UPLI) (H.R. 5780), which was introduced by Representatives Bishop and Chaffetz after extensive consultations with stakeholders. Their UPLI, which Governor Herbert also supported, proposed to conserve roughly the same area as the BENM by designating two National Conservation Areas (Indian Creek and Bears Ears) as well as the Mancos Mesa Wilderness. The UPLI also proposed to designate most of the current Wilderness Study Areas as wilderness.

There is overwhelming support from tribal governments for protecting this important cultural landscape. A coalition of five federally recognized tribes – Hopi, Navajo, Ute Mountain Ute,

Zuni, and Ute Indian Tribe of the Uinta Ouray – came together to develop a proposal for protecting 1.9 million acres of public land in the Bears Ears area, which is the ancestral grounds of numerous tribes in the region and remains an important area for traditional and ceremonial use. Over two dozen other tribes endorsed their proposal, as well as the National Congress of American Indians. All seven tribes located in Utah and the Utah Tribal Leaders Association endorsed the proposal. The Navajo Nation, which has seven chapter houses located in Utah, has supported the proposal at its highest levels, including support from its President and the Navajo Nation Council. Six of their seven chapter houses in Utah support the monument proposal, and the one that has rescinded its support has instead advocated for protecting the area through the Public Lands Initiative. To reflect tribal expertise and traditional and historical knowledge, the monument proclamation established a Bears Ears Commission, which enable tribes to share information and advice with federal land managers.

Summary of National Monument Activities since Designation

The BLM-Utah Monticello Field Office has identified a list of priority projects needed to improve visitor safety, protect resources, and enhance visitor experiences and have made significant progress in planning and implementation of these projects. The BLM-Utah has also developed informational materials including maps, brochures, and website materials. Design work for portal signs is also nearly complete. The Bears Ears Tribal Commission has been established, with representatives identified for each of the tribes noted in the proclamation. The BLM has participated in two in-person meetings with the Commission and have started to identify opportunities to work together. The BLM has coordinated with the USFS on day-to-day activities and initiated discussions regarding short- and long-term management needs. A coordination call is held between the agencies on a weekly basis to discuss ongoing action items, including responses to public inquiries. The BLM prepared a Monument Advisory Committee (MAC) Charter (signed by Secretary Jewell) and a Federal Register Notice calling for nominations to the MAC (not yet published).

Summary of Activities in Area for 5 years Preceding Pre-Designation

These lands have been managed according to the 2008 Monticello Resource Management Plan, which includes multiple-use management objectives. Approximately 727,000 acres (68 percent) of the BLM lands that are within the monument are afforded a level of protection under the existing land use plan under other designations such as Wilderness Study Areas, natural areas, Areas of Critical Environmental Concern, or Special Recreation Management Areas. There has been no change in day-to-day management since designation of BENM.

Summary of Available Economic Information since Designation

A cursory review of mineral potential is included in the Drive folder.

Summary of Any Boundary Adjustments since Designation

Not applicable. The proclamation establishing the BENM directed the Secretary to explore entering into a Memorandum of Understanding (MOU) with the State of Utah for the exchange of approximately 109,000 acres of state inholdings within BENM for BLM lands outside the monument. Further, the Secretary was ordered to report to the President by Jan. 19, 2017, regarding the potential for the exchange. In response, the BLM drafted an MOU for review by the Utah State Institutional Trust Lands Administration (SITLA). SITLA has temporarily declined to participate in review of the MOU pending the outcome of the monument review under the executive order. The BLM anticipates that at the conclusion of the review process, SITLA will be receptive to dialog regarding exchange opportunities.